IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE SEVENTEENTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE B.PRAKASH RAO

-

WRIT PETITION NO : 7422 of 1995

Between:

Sri Venkateswara Girijan Residents Welfare Association
rep. by Vice President N. Chenchu Krishnaiah,
R/o Tirupathi, Chittoor Dist.

..... PETITIONER

AND

1 The District Collector, Chittoor Dist.
2 The Revenue Divisional Officer, Titupathi
3 The Mandal Revenue Officer,
Titupathi Urban Mandal, Tirupathi, Chittoor Dist.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, order or direction particularly a writ in the nature of mandamus directing the respondents herein to grant house site pattas to the members of petitioner Association in respect of an extent of Ac.2.80 cents in Sy.No.479/1 known as Chakal avanigunta, Tirupathi, Tirupathi Urban (M), Chittoor Dist.

Counsel for the Petitioner: MR.K.V.SUBRAMANYA NARASU

Counsel for the Respondents: GP FOR REVENUE-ASSIGNMENT

The Court made the following :

ORDER:

-

Heard Sri K.V.Subramanya Narsu, learned counsel appearing for the petitioner and the learned Government Pleader for Revenue-Assignments appearing on behalf of the respondents 1 to 3.

The only grievance of the petitioner is in regard to non-consideration of cases of its members for grant of house site pattas in respect of the land in survey no.479/1 in an extent of Ac.2.80 cents at Chakal Avanigunta, Tirupati, Chittor district. Though the petitioner-association claims that its members filed several applications for grant of such pattas, however, in the counter affidavit filed on behalf of the respondents it is stated that the land could not possibly be given as pattas as the same was already allotted to others and due endorsement has been made to that effect for making appropriate applications seeking for allotment of alternative land and that admittedly no steps have been taken by the petitioner-association. Having regard to such specific averment made in the counter affidavit, it is not necessary to go into the merits on either side.

The Writ Petition is, accordingly, disposed of permitting the petitioner to file appropriate application before the first respondent setting up claim in respect of allotment of alternative land available and the same shall be considered and disposed of on merits in accordance with law. The petitioner shall file such application within a period of four weeks from today and the same shall be disposed of by the respondents within a period of three months thereafter. No costs.

(B.Prakash Rao, J.)

17.03.2005

DRK/Chvn.

Copy to:

1 The District Collector, Chittoor Dist.
2 The Revenue Divisional Officer, Titupathi
3 The Mandal Revenue Officer,
Titupathi Urban Mandal, Tirupathi, Chittoor Dist.

4 Two CCs to the G.P. for Revenue –Assignments, High Court of A.P., High Court buildings, Hyderabad (o.u.t.)

5 Two CD copies.